

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Ervin Middleton, Jr., et al,

Plaintiffs

v.

HOA Collections, LLC, et al.,

Defendants

Case No. 2:24-cv-01491-CDS-EJY

**Order Dismissing and Closing Case**

Pro se plaintiff Ervin Middleton, Jr. was deemed a vexatious litigant and is subject to a pre-filing order in this district. *See Middleton, Jr. v. NV Energy, et al.*, Case No. 2:20-cv-00638-KJD-VCF; *see also Middleton, Jr. v. Wells Fargo Bank, NA*, Case No. 2:21-cv-01936-CDS-VCF. As a result, Middleton may only initiate new civil actions in the District of Nevada after his proposed complaint has been screened by the appropriate judicial authority. ECF No. 35 at 2 in *Middleton, Jr. v. NV Energy, et al.*, Case No. 2:20-cv-00638-KJD-VCF; ECF No. 35 at 9 in *Middleton, Jr. v. Wells Fargo Bank, NA*, Case No. 2:21-cv-01936-CDS-VCF. Here, Middleton initiated new litigation without the prior approval of the chief judge. ECF No. 1. Having reviewed the initiating documents, I find that Middleton's filing of this case directly violates Judge Dawson's pre-filing order, so I dismiss this action.

**Conclusion**

It is therefore ordered that this action is dismissed for Middleton's failure to comply with the January 6, 2021, pre-filing order entered in *Middleton, Jr. v. NV Energy, et al.*, Case No. 2:20-cv-00638-KJD-VCF.

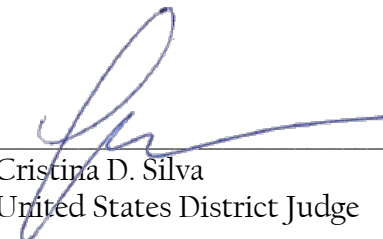
1 Middleton is reminded that if he intends to file any new pro se civil actions in this  
2 district he must:

- 3 1. Apply to the chief judge<sup>1</sup> of this district for leave to file the initiating  
4 documents by submitting to the clerk's office an application bearing  
5 the title "Application to Chief District Judge Seeking Leave to File"  
6 and which must be supported by a declaration from Middleton, made  
7 under penalty of perjury, stating that (1) the matters asserted in the  
8 new complaint or papers have never been raised and disposed of on  
9 their merits by any court; (2) the claim or claims are not frivolous or  
10 made in bad faith; and (3) he has conducted a reasonable investigation  
11 of the facts and such investigation supports the claim or claims; and  
12 2. Attach a copy of the pre-filing order to any such application.

13 Only after receiving approval from the chief judge of this district may Middleton initiate  
14 a new pro se action. Failing to comply with the pre-filing order and *all* of the directives set forth  
15 therein will result in dismissal of the action.

16 The Clerk of Court is authorized to reject, refuse to file, and discard any new complaint,  
17 petition, or document on a closed case, or any other litigation-initiating documents submitted  
18 pro se without prior compliance with this order. The Clerk of the Court is further directed to  
19 close this case.

20 Dated: September 30, 2024

21   
22 Cristina D. Silva  
23 United States District Judge  
24  
25

26 <sup>1</sup> Middleton is advised that starting October 1, 2024, the new Chief of the District will be Judge Andrew P. Gordon, so any application should be sent to his attention.